

Remarks

Claims 1-23 were pending in the application. Claims 8 and 12 were withdrawn from consideration, and claims 22 and 23 have been allowed. Furthermore, claims 5, 6, 11, 14, 18 and 19 were objected to; and claims 1-4, 7, 9, 10, 13, 15-17, 20 and 21 were rejected. By this paper, Applicants propose to amend claims 1 and 9, and to cancel claims 5, 8, 11 and 12 to place this application in condition for allowance.

Rejection Under 35 U.S.C. § 112

Claim 10 was rejected under § 112, second paragraph, as being indefinite. More specifically, the Examiner stated that "it is unclear which etching steps are performed simultaneously since multiple etching steps are cited." Because claim 10 recites that "the etching steps are performed simultaneously," claim 10 requires all etching steps recited in claim 9 to be performed *simultaneously*. Thus, claim 10 is believed to be clear.

Rejection Under 35 U.S.C. § 103

Claims 1-4, 7, 9, 10, 13, 15-17, 20 and 21 were rejected under § 103(a) as being unpatentable over IBM Technical Disclosure Bulletin in view of Japanese Reference JP 04-186731A in the name of Inaba et al. Although Applicant respectfully believes that the Examiner's proposed combination fails to disclose each element of Applicants invention as claimed in either claim 1 or claim 9, these claims have both been amended to include features of objected to claims. More specifically, claim 1 has been amended to include features of claim 5, and claim 9 has been amended to include features of claim 11. Because claims 5 and 11 were indicated as being allowable if rewritten in independent form, both claims 1 and 9 are believed to be allowable. Furthermore, the dependent claims of claims 1 and 9 are also believed to be allowable.

Applicant reserves the right to pursue additional claims, such as claims similar to claims 1 and 9 as presented in the Amendment dated May 12, 2003, in a related application.

Conclusion

Applicant has made a genuine effort to respond to each of the Examiner's objections and rejections in advancing the prosecution of this case. Furthermore, Applicant respectfully requests entry of this Amendment to put the application in condition for allowance. If any additional issues need to be resolved, the Examiner is invited to contact the undersigned at his earliest convenience.

Respectfully submitted,

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